

REMARKS

Pursuant to the April 18, 2007 telephone conference with the Examiner, Applicant is resubmitting the attached amendment. Applicant believes that the Amendment achieves the Examiner's requested specification changes and cures the new matter rejections.

The Examiner continues to argue that Applicant's specification amendments are "new matter." Applicant continues to disagree with this interpretation, however, has herein made the exact amendments recited by the Examiner to address the outstanding Quayle action. Most notably, the decision by the BPAI which reversed all of the Examiner's rejection and the Examiner's subsequent allowance of all the claims further supports Applicant's contention that when the specification and drawings are taken as a whole, the subject matter was described in such a way as to reasonably convey to one skilled in the relevant art that the inventors at the time the application was filed had possession of the claimed invention. As such, Applicant's specification amendments, under no proper interpretation, can be properly considered new matter. Nonetheless, as mentioned above, Applicant has addressed each of the Examiner's specification objections solely to address the Quayle action and thus finally move the application to issue.

Please charge \$1590 to Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds for a four month extension of time. If any additional fees or extensions of time are required, please charge to Deposit Account No. 50-1482.

Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a teleconference will facilitate moving this case forward to being issued, Applicant's representative can be contacted at the number indicated below.

Respectfully Submitted,

CARLSON, GASKEY & OLDS, P.C.

/David L. Wisz/

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